

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-cv-00764-CRC**

VIZCARRA CALDERON v. U.S. DEPARTMENT OF
HOMELAND SECURITY et al

Assigned to: Judge Christopher R. Cooper

Case: 1:17-cv-01458-CRC

Cause: 05:552 Freedom of Information Act

Plaintiff

YOLANDA VIZCARRA CALDERON

Date Filed: 04/04/2018

Jury Demand: None

Nature of Suit: 895 Freedom of

Information Act

Jurisdiction: U.S. Government Defendant

represented by **W. Asa Hutchinson**
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Plaintiff

RANFIEL CASTANEDA SANCHEZ

18cv765

represented by **Jason D. Wright**
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V.

Defendant

**U.S. DEPARTMENT OF
HOMELAND SECURITY**

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TERMINATED: 04/12/2019

Defendant**U.S. DEPARTMENT OF STATE**

represented by **April Denise Seabrook**
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ATTORNEY TO BE NOTICED

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ATTORNEY TO BE NOTICED

Fred Elmore Haynes
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TERMINATED: 12/20/2018

Jason Todd Cohen
(See above for address)
TERMINATED: 04/12/2019

| Date Filed | # | Docket Text |
|------------|----------|--|
| 04/04/2018 | <u>1</u> | COMPLAINT against All Defendants (Filing fee \$ 400 receipt number 0090-5404671) filed by YOLANDA VIZCARRA CALDERON. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons U.S. Attorney for DC, # <u>3</u> Summons U.S. Attorney General, # <u>4</u> Summons DHS, # <u>5</u> Summons State)(Wright, Jason) (Entered: 04/04/2018) |
| 04/04/2018 | <u>2</u> | NOTICE OF RELATED CASE by YOLANDA VIZCARRA CALDERON. Case related to Case No. 17-1458. (Wright, Jason) (Entered: 04/04/2018) |
| 04/04/2018 | <u>3</u> | MOTION for Leave to Appear Pro Hac Vice :Attorney Name- W. Asa Hutchison III, :Firm- The Asa Hutchinson Law Group, PLC, :Address- 912 W. Central Avenue. Phone No. - (479) 878-1600. Fax No. - (479) 876-8283 Filing fee \$ 100, receipt number 0090-5404691. Fee Status: Fee Paid. by YOLANDA VIZCARRA CALDERON (Wright, Jason) (Entered: 04/04/2018) |
| 04/05/2018 | | Case Assigned to Judge Christopher R. Cooper. (zsb) (Entered: 04/05/2018) |
| 04/05/2018 | <u>4</u> | SUMMONS (4) Issued Electronically as to U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. DEPARTMENT OF STATE, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(zsb) (Entered: 04/05/2018) |
| 04/09/2018 | | MINUTE ORDER granting <u>3</u> Motion for Leave to Appear Pro Hac Vice. Signed by Judge Christopher R. Cooper on 4/9/2018. (lccrc2) (Entered: 04/09/2018) |
| 05/16/2018 | <u>5</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 5/1/2018. Answer due for ALL FEDERAL DEFENDANTS by 5/31/2018. (Wright, Jason) (Entered: 05/16/2018) |

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| 05/31/2018 | <u>6</u> | Consent MOTION for Extension of Time to File Answer re <u>1</u> Complaint, by U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. DEPARTMENT OF STATE (Haynes, Fred) (Entered: 05/31/2018) |
| 06/01/2018 | | MINUTE ORDER granting <u>6</u> Defendants' Motion for Extension of Time to Answer. Defendants' response to the complaint shall now be due by June 29, 2018. Signed by Judge Christopher R. Cooper on 6/1/2018. (lccrc2) (Entered: 06/01/2018) |
| 06/01/2018 | | Set/Reset Deadlines: Answer due by 6/29/2018 (lsj) (Entered: 06/01/2018) |
| 06/29/2018 | <u>7</u> | NOTICE of Appearance by April Denise Seabrook on behalf of All Defendants (Seabrook, April) (Entered: 06/29/2018) |
| 06/29/2018 | <u>8</u> | Consent MOTION for Extension of Time to File Answer <i>and Memorandum in Support Thereof</i> by U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. DEPARTMENT OF STATE (Seabrook, April) (Entered: 06/29/2018) |
| 07/02/2018 | | MINUTE ORDER granting <u>8</u> Motion for Extension of Time. Defendants shall respond to the complaint on or before July 27, 2018. Signed by Judge Christopher R. Cooper on 7/2/2018. (lccrc3) (Entered: 07/02/2018) |
| 07/02/2018 | | Set/Reset Deadlines: Answer due by 7/27/2018 (lsj) (Entered: 07/02/2018) |
| 07/26/2018 | <u>9</u> | Consent MOTION for Extension of Time to File Answer re <u>1</u> Complaint, Order on Motion for Extension of Time to Answer by U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. DEPARTMENT OF STATE (Seabrook, April) (Entered: 07/26/2018) |
| 08/01/2018 | <u>10</u> | ORDER granting <u>9</u> Motion for Extension of Time to File Answer. See full Order for details. Signed by Judge Christopher R. Cooper on 8/1/2018. (lccrc3) (Entered: 08/01/2018) |
| 08/01/2018 | | Set/Reset Deadlines: Answer due by 8/16/2018 (lsj) (Entered: 08/01/2018) |
| 08/16/2018 | <u>11</u> | Consent MOTION for Extension of Time to File Answer re <u>1</u> Complaint, by U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. DEPARTMENT OF STATE (Haynes, Fred) (Entered: 08/16/2018) |
| 08/20/2018 | | MINUTE ORDER granting <u>11</u> Motion for Extension of Time to Answer. Defendants' Answer shall be filed on or before September 7, 2018. Signed by Judge Christopher R. Cooper on 08/20/2018. (lccrc3) (Entered: 08/20/2018) |
| 08/20/2018 | | Set/Reset Deadlines: Answer due by 9/7/2018 (lsj) (Entered: 08/20/2018) |
| 09/07/2018 | <u>12</u> | Consent MOTION for Extension of Time to File Answer re <u>1</u> Complaint, by U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. DEPARTMENT OF STATE (Seabrook, April) (Entered: 09/07/2018) |
| 09/11/2018 | | MINUTE ORDER granting <u>12</u> Motion for Extension of Time to Answer. Defendants shall respond to the Complaint on or before October 16, 2018. No further extensions of the answer deadline shall be granted. Signed by Judge Christopher R. Cooper on 09/11/2018. (lccrc3) (Entered: 09/11/2018) |
| 09/12/2018 | | Set/Reset Deadlines: Answer due by 10/16/2018 (lsj) (Entered: 09/12/2018) |
| 10/15/2018 | <u>13</u> | ANSWER to Complaint by U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. DEPARTMENT OF STATE.(Seabrook, April) (Entered: 10/15/2018) |
| 10/16/2018 | | MINUTE ORDER: Before the Court in this FOIA case are a complaint and an answer. It is hereby ORDERED that the parties promptly confer and file a joint proposed schedule for briefing or disclosure by October 30, 2018. Signed by Judge Christopher R. Cooper on 10/16/2018. (lccrc3) (Entered: 10/16/2018) |
| 10/16/2018 | | Set/Reset Deadlines: Joint Proposed Briefing Schedule due by 10/30/2018 (lsj) (Entered: 10/16/2018) |
| 10/30/2018 | <u>14</u> | Joint STATUS REPORT <i>and Proposed Schedule</i> by U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. DEPARTMENT OF STATE. (Seabrook, April) (Entered: 10/30/2018) |

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| 11/01/2018 | | VACATED PURSUANT TO MINUTE ORDER ENTERED 2/13/2019.....MINUTE ORDER: Upon consideration of the parties' <u>14</u> Joint Status Report and Proposed Briefing Schedule, it is hereby ORDERED that the parties shall adhere to the following briefing schedule: Defendants shall file their motion for summary judgment on or before January 22, 2019; Plaintiff shall file her opposition and cross-motion for summary judgment on or before February 22, 2019; Defendants shall file their reply and opposition on or before March 13, 2019; Plaintiff shall file her reply on or before March 30, 2019. Signed by Judge Christopher R. Cooper on 11/01/2018. (lccrc3) Modified on 2/14/2019 (zlsj). (Entered: 11/01/2018) |
| 11/01/2018 | | Set/Reset Deadlines: Summary Judgment motions due by 1/22/2019. Response to Motion for Summary Judgment due by 2/22/2019. Reply to Motion for Summary Judgment due by 3/13/2019. Replies due by 3/30/2019. (lsj) (Entered: 11/01/2018) |
| 12/20/2018 | <u>15</u> | NOTICE OF SUBSTITUTION OF COUNSEL by Jason Todd Cohen on behalf of All Defendants Substituting for attorney April Denise Seabrook and Fred Elmore Haynes (Cohen, Jason) (Entered: 12/20/2018) |
| 01/18/2019 | <u>16</u> | MOTION to Stay by U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. DEPARTMENT OF STATE (Attachments: # <u>1</u> Text of Proposed Order)(Coles-Huff, Doris) (Entered: 01/18/2019) |
| 01/21/2019 | | MINUTE ORDER granting <u>16</u> Motion to Stay. Defendants shall notify the Court once necessary appropriations are restored. Signed by Judge Christopher R. Cooper on 01/21/2019. (lccrc3) (Entered: 01/21/2019) |
| 01/29/2019 | <u>17</u> | NOTICE of Restored Government Funding by U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. DEPARTMENT OF STATE (Cohen, Jason) (Entered: 01/29/2019) |
| 02/01/2019 | | MINUTE ORDER: In light of the restoration of appropriations, the stay in this case is lifted. The parties shall provide a joint status report on or before February 8, 2019, which shall include a proposed schedule for future proceedings. Signed by Judge Christopher R. Cooper on 02/01/2019. (lccrc3) (Entered: 02/01/2019) |
| 02/01/2019 | | Set/Reset Deadlines: Joint Status Report and Proposed Briefing Schedule due by 2/8/2019 (lsj) (Entered: 02/01/2019) |
| 02/08/2019 | <u>18</u> | Joint STATUS REPORT by YOLANDA VIZCARRA CALDERON. (Attachments: # <u>1</u> Text of Proposed Order)(Wright, Jason) (Entered: 02/08/2019) |
| 02/13/2019 | | MINUTE ORDER: Upon consideration of the parties' <u>18</u> Joint Status Report, it is hereby ORDERED that the briefing schedule entered on November 1, 2018 is VACATED. It is further ORDERED that the parties shall file a joint status report on or before March 11, 2019. Signed by Judge Christopher R. Cooper on 02/13/2019. (lccrc3) (Entered: 02/13/2019) |
| 02/14/2019 | | Set/Reset Deadlines: Joint Status Report due by 3/11/2019 (lsj) (Entered: 02/14/2019) |
| 03/11/2019 | <u>19</u> | Joint STATUS REPORT and Proposed Schedule by U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. DEPARTMENT OF STATE. (Seabrook, April) (Entered: 03/11/2019) |
| 03/12/2019 | | VACATED PURSUANT TO MINUTE ORDER ENTERED 4/16/2019.....MINUTE ORDER: Upon consideration of the parties' <u>19</u> Joint Status Report, it is hereby ORDERED that the parties shall adhere to the following briefing schedule: Defendants shall file their motion for summary judgment on or before April 12, 2019; Plaintiff shall file her opposition and cross-motion for summary judgment on or before May 12, 2019; Defendants shall file their reply and opposition on or before June 3, 2019; Plaintiff shall file her reply on or before June 27, 2019. Signed by Judge Christopher R. Cooper on 03/12/2019. (lccrc3) Modified on 4/16/2019 (zlsj). (Entered: 03/12/2019) |
| 03/12/2019 | | Set/Reset Deadlines: Summary Judgment motions due by 4/12/2019. Response to Motion for Summary Judgment due by 5/12/2019. Cross Motions due by 5/12/2019. Reply to Motion for Summary Judgment due by 6/3/2019. Response to Cross Motions due by 6/3/2019. Reply to Cross Motions due by 6/27/2019. (zbnbn) (Entered: 03/13/2019) |

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| 04/12/2019 | <u>20</u> | NOTICE OF SUBSTITUTION OF COUNSEL by April Denise Seabrook on behalf of All Defendants Substituting for attorney Jason Cohen (Seabrook, April) (Entered: 04/12/2019) |
| 04/12/2019 | <u>21</u> | Joint STATUS REPORT <i>and Proposed Amended Briefing Schedule</i> by U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. DEPARTMENT OF STATE. (Seabrook, April) (Entered: 04/12/2019) |
| 04/16/2019 | | VACATED PURSUANT TO MINUTE ORDER ENTERED 5/10/2019.....MINUTE ORDER: Upon consideration of the parties' <u>21</u> Joint Status Report, it is hereby ORDERED that the briefing schedule entered on March 12, 2019 is vacated. The parties shall adhere to the following briefing schedule: Defendants shall file their motion for summary judgment on or before May 24, 2019; Plaintiff shall file her opposition and cross-motion for summary judgment on or before June 24, 2019; Defendants shall file their reply and opposition on or before July 12, 2019; Plaintiff shall file her reply on or before July 26, 2019. The Court encourages the parties to narrow any remaining issues and adhere to this briefing schedule. Signed by Judge Christopher R. Cooper on 04/16/2019. (lccrc3) Modified on 5/13/2019 (zlsj). (Entered: 04/16/2019) |
| 04/16/2019 | | Set/Reset Deadlines: Summary Judgment motions due by 5/24/2019. Response to Motion for Summary Judgment due by 6/24/2019. Reply to Motion for Summary Judgment due by 7/12/2019. Replies due by 7/26/2019. (lsj) (Entered: 04/16/2019) |
| 05/03/2019 | | MINUTE ORDER: The parties are directed to confer and notify the Court whether the issues in this case and in 18-cv-765 are sufficiently related to warrant a consolidated briefing schedule and/or formal consolidation pursuant to Federal Rule of Civil Procedure 42(a). Signed by Judge Christopher R. Cooper on 05/03/2019. (lccrc3) (Entered: 05/03/2019) |
| 05/10/2019 | | VACATED PURSUANT TO MINUTE ORDER ENTERED 6/25/2019.....MINUTE ORDER: Upon consideration of the Joint Notice to the Court filed as Docket Number 20 in 18-cv-765, it is hereby ORDERED that this case shall be consolidated with 18-cv-765 pursuant to Federal Rule of Civil Procedure 42(a). All filings should be made in lead case 18-cv-764. The Court hereby VACATES the briefing schedule set on April 16, 2019. The parties shall adhere to the following briefing schedule: Defendants shall file their consolidated motion for summary judgment on or before June 24, 2019; Plaintiffs shall file their consolidated opposition and cross-motion for summary judgment on or before July 22, 2019; Defendants shall file their reply and opposition on or before August 12, 2019; Plaintiffs shall file their reply on or before August 26, 2019. Signed by Judge Christopher R. Cooper on 05/10/2019. (lccrc3) Modified on 5/13/2019 (zlsj). Modified on 6/25/2019 (zlsj). (Entered: 05/10/2019) |
| 05/13/2019 | | Set/Reset Deadlines: Summary Judgment motions due by 6/24/2019. Response to Motion for Summary Judgment due by 7/22/2019. Reply to Motion for Summary Judgment due by 8/12/2019. Replies due by 8/26/2019. (lsj) (Entered: 05/13/2019) |
| 06/21/2019 | <u>22</u> | Consent MOTION to Amend/Correct Order,,, by U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. DEPARTMENT OF STATE (Seabrook, April) (Entered: 06/21/2019) |
| 06/25/2019 | | VACATED PURSUANT TO MINUTE ORDER ENTERED ON 8/6/2019.....MINUTE ORDER granting <u>22</u> Motion to Amend Briefing Schedule and vacating the schedule entered on May 10, 2019. The parties shall adhere to the following briefing schedule: Defendants shall file their consolidated motion for summary judgment on or before August 6, 2019; Plaintiffs shall file their consolidated opposition and cross-motion for summary judgment on or before September 6, 2019; Defendants shall file their reply and opposition on or before September 27, 2019; Plaintiffs shall file their reply on or before October 11, 2019. Signed by Judge Christopher R. Cooper on 06/25/2019. (lccrc3) Modified on 8/7/2019 (lsj). (Entered: 06/25/2019) |
| 08/06/2019 | <u>23</u> | Consent MOTION to Amend/Correct Order on Motion to Amend/Correct,, <i>Briefing Schedule</i> by U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. DEPARTMENT OF STATE (Seabrook, April) (Entered: 08/06/2019) |

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| 08/06/2019 | | MINUTE ORDER granting <u>23</u> Motion to Amend the Briefing Schedule and vacating the schedule entered June 25, 2019. The parties shall adhere to the following briefing schedule: Defendants shall file their consolidated motion for summary judgment on or before August 27, 2019; Plaintiffs shall file their consolidated opposition and cross-motion for summary judgment on or before September 27, 2019; Defendants shall file their reply and opposition on or before October 18, 2019; Plaintiffs shall file their reply on or before November 1, 2019. Given the numerous prior extensions in this case, the Court expects the parties to adhere to this revised briefing schedule. Signed by Judge Christopher R. Cooper on 08/06/2019. (lccrc3) (Entered: 08/06/2019) |
| 08/07/2019 | | Set/Reset Deadlines: Summary Judgment motions due by 8/27/2019. Response to Motion for Summary Judgment due by 9/27/2019. Reply to Motion for Summary Judgment due by 10/18/2019. Replies due by 11/1/2019. (lsj) (Entered: 08/07/2019) |
| 08/27/2019 | <u>24</u> | MOTION for Summary Judgment by U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. DEPARTMENT OF STATE (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Memorandum in Support, # <u>3</u> Text of Proposed Order, # <u>4</u> Exhibit A – Weetman Declaration, # <u>5</u> Exhibit 1, # <u>6</u> Exhibit 2, # <u>7</u> Exhibit 3, # <u>8</u> Exhibit 4, # <u>9</u> Exhibit 5, # <u>10</u> Exhibit 6, # <u>11</u> Exhibit 7, # <u>12</u> Exhibit 8, # <u>13</u> Exhibit 9, # <u>14</u> Exhibit 10, # <u>15</u> Exhibit 11, # <u>16</u> Exhibit 12, # <u>17</u> Exhibit 13, # <u>18</u> Exhibit 14, # <u>19</u> Exhibit 15, # <u>20</u> Exhibit 16, # <u>21</u> Exhibit 17, # <u>22</u> Exhibit 18, # <u>23</u> Exhibit 19, # <u>24</u> Exhibit 20)(Seabrook, April) (Entered: 08/27/2019) |